



## APPLICATION FOR VARIANCE INSTRUCTIONS FOR FILING

Development Code Chapter 11.59 (Ordinance #1556)

The above referenced application requires a public hearing before the Planning Commission. The project applicant or their representative must be present at all public hearings to answer questions.

Applications shall be reviewed for compliance with the Application Submittal Requirements and may not be accepted for processing if incomplete. **All fees as listed on the adopted fee schedule must be received at the time of filing.** Please note **electronic** applications are preferred to be submitted via email or E-Filing (Egnyte). Please review the Instructions for E-Filing Applications for online submittals.

### SUBMITTAL REQUIREMENTS

1. **Application Form:** One (1) copy of the completed Project Application form with **original signatures** and associated application fees.
2. **Development Plan:** Hard copy plans may be submitted following that one (1) full size copy of the site development plan is drawn to scale. Hard copies of the site development plan can be either (11" x 17") or (8 1/2" x 11") in dimension and shall be submitted with the application. The Site Development Plan must be drawn to scale and clearly indicate all dimensions and other pertinent information including the following:
  - a) Property dimensions and acreage for entire property.
  - b) All existing and proposed buildings and structures including location from property lines, size, height and proposed use(s).
  - c) Walls and fences including location, height and construction materials.
  - d) Names of all adjoining streets.
  - e) A scale and north arrow.

Additional Submittal Requirements for projects within the Moderate, High, and Very High State Responsibility Area (SRA), pursuant to the Fire Risk Chapter in the General Plan Health and Safety Element (adopted September 2021):

- 1) Policy HS2.5: Road and building construction on slopes of more than 10 percent are strongly discouraged and will only be approved if consistent with County standards and the Yuba County Community Wildfire Protection Plan.
- 2) Policy HS2.10: New developments shall provide access that will allow safe evacuation and movement of firefighting equipment during a wildfire—specifically, each new development shall not receive planning approval without having a minimum of two entry/exit points. Evacuation routes shall have the capacity to accommodate traffic in relation to the population served.
- 3) Policy HS2.19 The County will discourage all new residential development within a Very High fire hazard severity zone or in the wildland-urban interface areas. The County shall require all new residential developments in these areas to demonstrate that the proposed development has incorporated sufficient fire hazard mitigation features, as outlined in Policy HS2.1, before the issuance of any permits.
- 4) Policy HS 2.20: The County will require all new development occurring within the State Responsibility Area to prepare and submit a fire protection plan to assess and mitigate fire risks in these areas. The plan should include 1) risk analysis; 2) fire response capabilities assessment; 3) fire safety requirements (i.e., defensible space, infrastructure, and building ignition resistance); 4) mitigation measures and design considerations for nonconforming fuel modification; 5) wildfire education strategies; and 6) plan maintenance and limitations.

3. **Justification Letter:** Shall demonstrate compliance with the requirements for a variance as outlined in section 12.10.300 of the Zoning Ordinance, or Section 12.85.040 for parking variances, from the Yuba County Development Code.
4. **Required Findings for Approval:** A detailed answer, in response to the findings prompts listed in Development Code Section 11.59.050, *Variance*, listed on the following page, is required. Findings are required to approve or conditionally approve a Variance application. Responses may be provided via email or as part of the written project description.
5. The applicant shall consult with the various Community Development & Services Agency Departments to determine if other submittal requirements are applicable. Some areas within the County have unique submittal requirements.
6. Other information as may be required to facilitate a comprehensive evaluation of the application by the Yuba County Planning Commission.
7. Projects within **OPUD's Service Area** may be required to pay supplemental review fees not listed in the Fee Schedule.

**Required Findings for Approval**

**Explain in as much detail as necessary the circumstances that apply to your case which indicate it meets the following requirements:**

Because of special circumstances applicable to subject property, including size, shape, topography, location, or surroundings, the strict application of this Code would deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

---

---

---

The Variance authorized does not constitute a grant of special privileges inconsistent with the limitations upon other property in the vicinity and zone in which subject property is situated.

---

---

---

The granting of the Variance will not be materially detrimental to the public health, safety, convenience, or welfare or injurious to property and improvements in the same vicinity and zone in which subject property is situated.

---

---

---

The granting of the Variance will be consistent with the general purposes and objectives of this Code, any applicable specific plans or adopted community plans, and the General Plan.

---

---

---

The Variance does not authorize a use that is not otherwise permitted in the zone.

---

---

---

Additional information that may be helpful in evaluating this request:

---

---

---

**ENVIRONMENTAL REVIEW**

All projects are subject to environmental review in accordance with the California Environmental Quality Act (CEQA). This environmental review is required in order to determine if the project will have an impact on the environment. ***You will be notified of the environmental determination and any fees associated with completing the environmental review once the initial review of your project has been completed.***

*Note: Please refer to the Cultural Resources Submittal Requirements and Biological Assessment Guidelines if those reports are requested by the assigned Planner.*